

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ANTONIO TADEU GIACOMET, as father and  
Natural guardian of ALINE FERNANDA  
SIMOES PIRES GIACOMET, a minor and  
Individually, and ADRIA FATIMA SIMOES  
PIRES GIACOMET,

Plaintiffs,

80 Civ. 7363 (LPG)  
1491/PM

v.

**ORDER**

FRED JACOB EPSTEIN, JOSEPH GERALD  
MCCARTHY, WILLIAM NOYES BERNHARD,  
FRED DANZIGER, and UNIVERSITY  
HOSPITAL OF THE NEW YORK  
UNIVERSITY MEDICAL CENTER,

Defendants.

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UPON reading and filing of the Petition of Antonio Tadeu Giacommet dated August 17, 2021, and the attached exhibits thereto, and it appearing that the best interests of the plaintiff ALINE FERNANDA SIMOES PIRES GIACOMET will be served in: (1) amending the August 29, 2016 Order to add Morgan Stanley Bank and Morgan Stanley Wealth Management to the list of approved banks where funds may be maintained in trust for ALINE FERNANDA SIMOES PIRES GIACOMET, and (2) permitting the petitioner to transfer funds from Wells Fargo to those banks included in the August 29, 2016 Order and/or Morgan Stanley Bank and Morgan Stanley Wealth Management,

NOW, upon the petition of ANTONIO TADEU GIACOMET, father and natural guard of ALINE FERNANDA SIMOES PIRES GIACOMET, it is hereby

**ORDERED** that the August 29, 2016 Order is amended to add Morgan Stanley Bank and Morgan Stanley Wealth Management to the list of approved banks where funds

may be maintained in trust for ALINE FERNANDA SIMOES PIRES GIACOMET, and it is further

**ORDERED** that ANTONIO TADEU GIACOMET is hereby authorized and empowered to transfer, consolidate, and invest funds held for the benefit of ALINE FERNANDA SIMOES PIRES GIACOMET at Wells Fargo, with the approximate balance of \$3,793,348.13, into the highest bearing and federally insured accounts, or at the Trustees' sole discretion into accounts which would allow the purchase of U.S. Government or U.S. Treasury securities, either individually or pooled as a fund investment, all for the benefit of his daughter ALINE FERNANDA SIMOES PIRES GIACOMET at these financial institutions herein provided; and it is further

**ORDERED** that the assets in the Wells Fargo account (cash and investments) be transferred in kind electronically to the new account at a financial institution listed below, including Morgan Stanley Bank and Morgan Stanley Wealth Management, through a change in custody process by the Automated Customer Account Transfer Service (ACATS); and it is further

**ORDERED** that ANTONIO TADEU GIACOMET shall deposit the entire of the transferred, consolidated and/or reinvested amounts to be held with an officer of any of the below listed institutions in trust for ALINE FERNANDA SIMOES PIRES GIACOMET:

**Bank**

Bank of New York Mellon

JP Morgan Chase;

Citibank;

HSBC;

Bank of America;

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Morgan Stanley Bank; or

Morgan Stanley Wealth Management; and it is further

**ORDERED** that said funds, however reinvested, transferred to consolidated shall not be withdrawn for use of principal and/or interest except in accordance with the terms of the August 29, 2016 Order, this Order, or upon further order of this Court or another Court of competent jurisdiction; and it is further

**ORDERED** that the terms of the August 29, 2016 Order otherwise remain in effect;

**ORDERED**, that services of a copy of this Order and the papers upon which it is granted upon ANTONIO TADEU GIACOMET by first class mail on or before September 24, 2021 shall be good and sufficient service thereof.

Dated: September 17, 2021

  
Hon. Loretta A. Preska U.S.D.C.

**Certified as a true copy of this date**

**By:**

☐ Clerk  
☐ Deputy